

REMARKS

Claims 1-20 are pending in the application with claims 6-10, 14-15 and 18-19 having been withdrawn from consideration pursuant to an earlier restriction requirement. Thus, claims 1-5, 11-13, 16-17 and 20 are currently before the Examiner. The Examiner's reconsideration is respectfully requested in light of the following remarks.

Rejections Under 35 U.S.C. §102(a)

Claims 1 and 11 presently stand rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent Publication No. 2003/0003688 to Tandy et al. (hereinafter "Tandy"). As a preliminary matter, Applicants submit that Tandy is not a proper reference under 35 U.S.C. §102(a). On January 2, 2003, Tandy was published. The present application claims priority on two Japanese applications filed December 4, 2002 and August 28, 2002. Accordingly, Tandy does not qualify as prior art under 35 U.S.C. §102(a) and Applicants request that the finality of the present rejection be withdrawn. An English translation of the earlier filed Japanese priority application no. 2002-35262 is submitted herewith along with a Declaration of Accuracy signed by the translator.

Nonetheless, Applicants further submit that Tandy does not disclose or suggest the invention recited in independent claims 1 and 11. The Examiner contends on page 2 of the Office Action that:

Tandy et al. discloses a semiconductor wafer protection structure, comprising: a semiconductor wafer (10) and a protective sheet (1) overlaid on a circuit surface of the semiconductor wafer...

However, Applicants submit that the Examiner has mischaracterized the marking tape (1) of Tandy as a protective sheet. As recited on page 4, paragraph [0034], of Tandy:

laser markable tape 1, also referred to as "marking tape 1," is applied to a backside surface 12 of semiconductor wafer 10 after it has been thinned through a backgrinding process (emphasis added).

Tandy also recites on page 4, paragraph [0036], that:

Use of the terms "laser markable tape" and "marking tape" are intended to refer to any tape configured such that, upon impact or heating by a laser, component or inherent characteristics of the tape allow for the formation or transfer of a distinct and permanent or semi-permanent mark onto a surface of a semiconductor die.

Accordingly, the "laser markable tape 1" or "marking tape 1" of Tandy is applied to the semiconductor after grinding and is structured to impart a feature onto the semiconductor surface.

In contrast, as recited on page 2, lines 9-10 of Applicants' disclosure, Applicants' protective surface is intended to "prevent vibration of the protective sheet during the backgrinding" (emphasis added). Applicants' protective sheet is intended to prevent alteration of the semiconductor wafer. Tandy's marking tape 1 is intended to allow for formation or transfer of a distinct and permanent or semi-permanent mark onto the semiconductor surface. Accordingly, the purpose of the marking tape 1 of Tandy is entirely distinct from the purpose of the presently claimed protective layer.

Independent claims 1 and 11 each recite, in relevant part, "a circular protective sheet." Applicants submit that although Tandy discloses a laser markable tape, applied after backgrinding, which allows for permanent or semi-permanent alteration of the semiconductor layer, Tandy does not disclose or suggest a protective layer as presently claimed. More specifically, Tandy does not disclose or suggest a protective layer which prevents vibration during backgrinding. Accordingly, Applicants request reconsideration and withdrawal of the rejection of claims 1 and 11.

Rejections Under 35 U.S.C. §103(a)

Claims 2-5, 12-13, 16-17 and 20 presently stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tandy. Dependent claims 2-5 and 16-17 depend directly or indirectly from independent claim 1 and are believed patentable for the reasons stated herein. Dependent claims 12-13 and 20 depend directly or indirectly from independent claim 11 and are also believed patentable for the reasons stated herein.

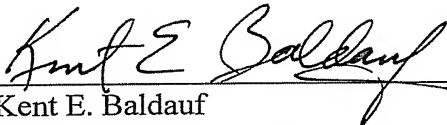
Appl. No. 10/525,996
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SUMMARY

Applicants respectfully request withdrawal of the finality of the present rejections as Tandy is not a proper reference pursuant to 35 U.S.C. §102(a). Furthermore, Applicants also respectfully submit that the presently claimed invention is patentably distinct over the above-identified prior art of record and that claims 1-5, 11-13, 16-17 and 20 are in condition for allowance. The Examiner's reconsideration and favorable action with respect to claims 1-5, 11-13, 16-17 and 20 are respectfully requested.

Respectfully submitted,
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